

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Steven C. Quay <i>et al.</i>	Assignee: Natestch Pharmaceutical Company, Inc. by assignment reel/frame 014932/0234
U.S. Patent Application Serial No.: 10/824,452	Art Unit: 1615
Filed: April 14, 2004	Confirmation No.: 6599
Title: INTRANASAL ADMINISTRATION OF TRIPTANS	Examiner: Carlos A. Azpuru
Customer No.: 36814	Dated: February 7, 2008
Attorney Docket No.: 03-05US	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

Dear Sir:

Responsive to the Restriction Requirement dated January 15, 2008, entry of the following election is requested.

Claims 1-73 are pending in the application. The Examiner has requested election of one restriction group from Groups I and II. In response to the restriction requirement, Applicant elects Group I (claims 1-36).

Applicant further elects species sumatriptan of which claims 1-36 are readable thereon. In view of this species election, Applicant requests consideration of claims to additional species that are written in dependent form or otherwise include all limitations of a later allowed generic claim as provided by 37 C.F.R. §1.141.

Applicant makes this election without prejudice and without waiver of any right to pursue any withdrawn or non-elected subject matter in a separate application, or to seek rejoinder of any withdrawn claim(s) in this application.

Consideration of the elected claims is now respectfully requested.